IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.32208 of 1998

Dated: April 5, 2007

Between:

D. Nagamunemma, W/o. late D.V. Subba Reddy,
Aged 55 years, D.No.44/37, Bosenagar, Rayachoty.

… Petitioner

And

The Commissioner, A.P. Vydya Vidhana
Parishad, Hyderabad, and another.

… Respondents

Order:

Petitioner seeks a Writ of Mandamus to declare the notice dated 20-06-1998, issued by the second respondent – District Coordinator, Hospital Services, A.P. Vydya Vidhana Parishad, Cuddapah, in Rc.No.528/Bldgs/D/DCHS/97, as illegal and arbitrary.

2. In the affidavit filed in support of the Writ Petition, it is stated that petitioner is a widow and that her husband died leaving behind the family in poverty. On an application made by the petitioner, second

respondent, by proceedings dated 21-05-1997, allotted her a site measuring 10' X 10' for running the Standard Trunk Dialing, Public Call Office booth in the premises of Community Health Centre, Rayachoty, by collecting a ground rent of Rs.550/- per month for a period of one year. Such allotment was made taking into account the death of petitioner's husband and the circumstances which she was in, at that time. It is stated that subsequently, second respondent, by proceedings dated
01-05-1998, extended the permission to run the booth for a period of one more year. The grievance of the petitioner is that proceedings dated 20-06-1998 were issued canceling the extension granted in the proceedings dated 01-05-1998. At that stage, petitioner has filed this Writ Petition.

3. Even according to the averment of the petitioner in the affidavit filed in support of the Writ Petition, permission was granted to her to run the S.T.D., P.C.O., booth, initially for a period of one year, by proceedings dated 21-05-1997, which was extended for a period of one more year by proceedings dated 01-05-1998. Later, second respondent, by proceedings dated 20-06-1998 cancelled the permission granted earlier. The very period for which permission was extended by proceedings dated 01-05-1998 had lapsed during pendency of the Writ Petition. In that view of the matter, the relief sought in the Writ Petition has become infructuous. However, learned counsel for the petitioner submits that petitioner is being allowed to continue the business by collecting rent. If that is the case, it is open for the respondents to allow the petitioner to continue the business by collecting rent from her.

4. The Writ Petition is accordingly disposed of. No costs.

JUSTICE R. SUBHASH REDDY.

April 5, 2007
MRR